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For: Adm	ninistration-B	udget (608) 26	66-1039		By/Representing: Etzler					
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01/12/2001 02:15:33 PM Page 2

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For: Administration-Budget (608) 266-1039					
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Supplemental mass transit aids					
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Wanted: Soon

Identical to LRB:

For: Administration-Budget (608) 266-1039

By/Representing: Etzler

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject:

Transportation - mass transit

Extra Copies:

ARG, PJH - 1

Pre Topic:

DOA:.....Etzler -

**Topic:** 

Supplemental performance-based transit aids

Instructions:

See Attached

**Drafting History:** 

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# STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON GOVERNOR

GEORGE LIGHTBOURN SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date:

January 7, 2001

To:

Steve Miller, LRB

From:

John M. Etzler, DOA

266-1039

Subject:

Department of Transportation Statutory Language

I am forwarding statutory language change that we would like to have drafted for inclusion in the Department of Transportation's (DOT) budget.

The intent of this request is to create a separate performance based distribution mechanism for state transit aids. We are requesting the creation of two separate appropriations that will be used to distribute aid under this program. The first will be for Milwaukee and Madison transit systems (currently Tiers A-1 and A-2). The second appropriation will be for all other transit systems (Tiers B and C). Under this proposal, transit systems will receive state aid from the current transit formula and this new program. For example, the Madison transit system would be eligible for transit aid appropriated to Tier A-2 systems and aid appropriated under this program.

Transit systems would be eligible for additional transit aid if they meet certain performance criteria. The proposal would require DOT to assess the performance of each transit system in relation to pccr systems using performance measures identified by the department. Only Milwaukee and Madison may be compared to peer systems identified by DOT that are external to the state. All other systems would be categorized by DOT (i.e., medium bus system, small bus system, commuter bus systems and share-ride taxi systems) and compared to like systems within the same category (DOT would be required to identify the peer systems and transit system categories in an administrative rule).

A system would be eligible for aid under this program if it met 4 out of the 6 performance measures set for each category by DOT. In addition, the department would be required to determine which systems meet or exceed the performance standards using criteria established in an administrative rule. Those systems that do not meet or exceed the standards would not receive aid from the program.

Thanks.

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Date (time) Soo N needed (twend in 1/9/01)

LRB-1863 / /

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TNF: hmh

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## >>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

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### Analysis by the Legislative Reference Bureau

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(Attacked)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION#2

SECTION #. CR : 20.395 (1) (jg)
20.395 (1) (jq) Tiers A-1 and A-2 supplemental
mass transit aids a state funds. The amounts in the
schedule for supplemental mass transit aids under s.
85,20(4p)(a).
note: bud
SECTION #. CR , 20,395 (1) (jr)
20,395 (T) (jr) Tiers B and C supplemental
mass transit aids state funds. The amounts in the
schedule for supplemental mass transit aids under s.
85,20 (4p)(b).
note: bud

SECTION #. CR: 85,20 (4p)
TRANSIT
85.20 (4p) SUPPLEMENTAL MASS AIDS. (a) The
department shall establish 6 performance standards for
each eligible applicant specified in sub. (4m)(a), 6. cm.
and d. Annually, the department shall assess the performance
of each eligible applicant in meeting or exceeding each of the
performance standards in relation to the performance of
substantially similar urban mass transit systems outside this
state selected as peer transit systems for the purpose of
such assessment. From the appropriation under s. 20.395(1)(jg),
the department shall make supplemental payments of mass aid
to each eligible applicant who meets or exceeds at least 4
of the performance standards established for the eligible
applicant.
(b) The department shall classify eligible applicants
specified in sub. (4m)(a) 7, and 8. into reparate categories

of eligible applicants and establish 6 performance standards applicable to each category. Annually, the department shall assess the performance of each eligible applicant in meeting or exceeding each of the performance standards in relation to the performance of other applicants in the same category. From the appropriation under s. 20.395 (1) (jr), the department shall make supplemental payments of mass laid applicant who meets or exceeds at least 4 of the performance standards established for that category of eligible applicants (c) Supplemental payments of mass/aid under this subsection are in addition to any state aid sub. (4m)(a). An eligible applicant who does not meet or exceed at least 4 of the applicable performance standards is not eligible for mass/under The department shall promulgate rules to implement

and administer the payment of mass transit aids
under this subsection. The rules shall include all
of the following:
1. Development of performance standards for the
purposes of this subsection.
2. Identification of the peer transit systems for
purposes of assessment under par. (a),
3. Classification of eligible applicants specified
in sub. (4m)(a) 7. and 8. into separate categories
for purposes of assessment under par. (b).
4. Criteria for determining whether an eligible applicant
meets or exceeds the performance standards established
under this subsection for purposes of supplemental mass
transit aid payments.

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SECTION 94 5 2. Effective dates; transportation.  (#1) WM SUPPLEMENTAL MASS TRANSIT AIDS. The treatment sections 20,395 (1) (jg) and (jr) and 85.20 (4p)  of the statutes takes effect on January 1,2002.	of
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D-NOTE

[rev: 8/28/00 2001effdate(fm)]

Analysis
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TRANSPORTATION
(S) (B)
TRANSPORTATION AIDS
Under current law, DOT administers an urban mass
transit operating assistance program that funds a portion
of the annual operating expenses of eligible urban mass
transit systems.
This bill requires DOT to make supplemental mass transit
aid payments to religible urban mass transit system that,
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on the basis of an assessment by DOT of the mass
the performance of
transit system's performance in relation to comparable mass
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transit systems, meets or exceeds A of Kelperformance
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standards established by DOT. These supplemental mass
transit aid payments are in addition to any other funding
under the program.
FE-S/L

# STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

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	LRB-1863/1dn
	TNF: hmh
DRAFTER'S NOTE	·
date	
Attn: John Etzler	
ran: John Etzler	
This draft has an effective of	date of January
1,2002. OK?	
	A
	TNF
	· · · · · · · · · · · · · · · · · · ·

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1863/1dn TNF:hmh:ijs

January 9, 2001

Attn: John Etzler

This draft has an effective date of January 1, 2002. OK?

Timothy N. Fast Senior Legislative Attorney Phone: (608) 266–9739

E-mail: tim.fast@legis.state.wi.us

#### **Fast, Timothy**

From:

Etzler, John

Sent:

Wednesday, January 10, 2001 11:51 AM

To:

Fast, Timothy

Cc:

Schmiedicke, David

Subject:

Transit Draft - (LRB1863/1)

We have changed the draft request to more accurately reflect the Governor's intent. However, I do not know if we will need to assign a new LRB draft number because of this change. If we do, please let me know and I will forward this memo through the proper channels to make sure it gets logged in properly. Please give me a call once you get a chance to read over the attached memo so that we may discuss it further. Thanks for your help!



Transit - Redraft2.doc

#### STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON GOVERNOR

GEORGE LIGHTBOURN SECRETARY



Division of Executive Budget and Finance Post Office Box 7864 Madison, WI 53707-7864 Voice (608) 266-1736 Fax (608) 267-0372 TTY (608) 267-9629

Date:

January 10, 2001

To:

Timothy Fast, LRB

From:

John M. Etzler, DOA

266-1039

Subject:

Department of Transportation Statutory Language

The following are changes we would like to include in the Supplemental Based Transit Aids draft (LRB 1863). As you will notice, these changes reflect a change in the intent of the program to base eligibility for program funding on increases in the expenditure rate per passenger, not on performance measures.

1. Create separate appropriations for Tier B and C systems and Share-ride taxi systems.

Note: I am not sure if we need to define "share-ride taxi systems". However, Trans 4.02(7) does provide a definition for "share-ride taxi cabs" that we may be able to work with.

2. Systems within each tier would be eligible for funds if the increase in the expenditure rate per passenger does not exceed the Consumer Price Index (CPI) for the same year.

Note: The intent is to define the expenditure per passenger rate as operating cost divided by the number of passenger served.

- 3. Require DOT to distribute aid to qualifying systems based upon the systems ridership as a percentage of the total number of riders within each tier. For example, within the "Tier A" appropriation, if Milwaukee has 80,000 passengers and Madison has 20,000 passengers and both systems qualify for funding, Milwaukee would receive 80% of the funds and Madison 20%.
- 4. The intent is to allow new systems to be eligible for funding under this program if they qualify. Their expenditure rate per passenger would be determined by DOT based on the estimated system cost and estimated number of passengers served.
- 5. We want aids to be distributed based on calendar year (similar to the other transit program). Therefore, we may need to change the effective date of the program. However, I have some concerns about how much funding needs to be provided in each fiscal year to meet calendar year payments. Therefore, I will have to get back to you on this issue.

Thanks.

#### **2001 - 2002 LEGISLATURE**

turned in 1/11/01

2 (Rechaft
LRB-1863/2 maken
TNF:hmh:ijs has been
tun)

DOA:.....Etzler - Supplemental mass transit aids

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget

# Analysis by the Legislative Reference Bureau TRANSPORTATION

in any calendar year for

#### TRANSPORTATION AIDS

Under current law, DOT administers an urban mass transit operating assistance program that funds a portion of the annual operating expenses of eligible urban mass transit systems.

This bill requires DOT to make supplemental mass transit aid payments to any eligible urban mass transit system that on the basis of an assessment by DOT of the mass transit system's performance in relation to the performance of comparable mass transit systems, smeets or exceeds four of six performance standards established by DOT. These supplemental mass transit aid payments are in addition to any other funding under the program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.395 (1) (jq) of the statutes is created to read:





performance standards in relation to the performance of other applicants in the same-21

Category. From the appropriation under s. 20.395 (1) (jr), the department shall make

in each calendar year

22

(f)

in each calendar year

Insert 3-1 supplemental payments of mass transit aid to each eligible applicant 1  $\mathbf{2}$ exceeds at least 4 af the zperformance standards extablished for that category of 3 oligible applicants, 4 Supplemental payments of mass transit aid under this subsection are in addition to any state aid allocation under sub. (4m) (a). An eligible applicant who 5 does not meet or exceed at least 4 of the applicable performance standards is not 6 7 eligible for mass transit aid under this subsection. (d) The department shall promulgate rules to implement and administer the 8 payment of mass transit aids under this subsection. The rules shall include all of the 9 10 following: 11 1. Development of performance standards for the purposes of this subsection. 12 2. Identification of the peer transit systems for purposes of assessment under par (a). 13 3. Classification of eligible applicants specified in sub. (4m) (a) 7. and 8. into 14 separate categories for purposes of assessment under par. (b). 15 4. Criteria for determining whether an cligible applicant meets or exceeds the 16 performance standards established under this subsection for purposes of 17 18 supplemental mass transit aid payments. 19 Section 9452. Effective dates: transportation. (1) SUPPLEMENTAL MASS TRANSIT AIDS. The treatment of sections 20.395 (1) (jq) 20 (jr) and 85.20 (4p) of the statutes takes effect on January 1, 2002. 21

22

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Insert 2-7 (page 1 of 2)
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SECTION #. CR; 20.395(1)(js)
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20.395 (1)(js) Supplemental mass transit aids
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for Tier C, state funds. The amounts in the
schedule for supplemental mass transit aids under
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s. 85.20 (4p)(c).
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SECTION #. CR; 20.395 (1)(jt)
3 ECTION #1 CR; 20,393 (1)(jt)
20.395 (1) (jt) Supplemental mass transit aids
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(for shared-ride taxicab systems; state funds. The
amounts in the schedule for supplemental mass transit
aids under s. 85.20 (4p)(d).
note: bud
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Insert 2-7 (page 2 of 2)

Section #. 85.20 (4m) (b) 1. of the statutes is amended to read:

85.20 (4m) (b) 1. Except as provided in subd. 2., each eligible applicant shall provide a local contribution, exclusive of user fees, toward operating expenses in an amount equal to at least 20% of state aid allocations to that eligible applicant under this section.

History: 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 34 ss. 911p, 911r, 2102 (52) (a); 1979 c. 110 s. 60 (11); 1981 c. 20 ss. 1202 to 1207, 1232 to 1233; Stats. 1981 s. 85.20; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 239; 1993 a. 16, 279; 1995 a. 113, 201; 1997 a. 27; 1999 a. 9; 1999 a. 150 ss. 626, 672.

par. (a)

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(008-200-3361)
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specified in sub. (4m)(a) 6. cm. or d. for whom the percentage increase in the
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the number of one-way revenue passenger trips taken
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	(608-266-3561)
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	payments (under this paragraph), the department shall
	distribute funds in proportion to
	the number of one-way revenue passenger trips taken
	on each eligible applicant's urban mass transit system
	during the preceding calendar year. This paragraph
	does not apply to an eligible applicant that is served
	exclusively by a shared-ride taxicab system.

Insert 3-1 (page 2 of 6)
Insert 3-1 (page 2 of 6)
(c) From the appropriation under s. 20.395(1)(js),
The appropriation order 3, 20.3/3 (1) (3),
the department shall make supplemental payments of
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mass transit aid to each eligible applicant
Tin each calendar year
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Insert 3-1 (page 3 of 6 specified in sub. (4m)(a) MANAJAJA for whom the percentage increase in the average cost per one-way revenue passenger trip taken on the eligible applicant's urban mass transit system Masses in the preceding calendar year by personal to Bilgerter Han the percentage increase in the U.S. consumer price index reported for the 12-month period ending on December 31 of that calendar year. If M/eligible applicants perfections HOSPANONAND are eligible to receive paragraph, the department shall distribute funds Wasslagen grapes in proportion to the number of one-way revenue passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year. This paragraph does not apply to an eligible applicant that is served exclusively by a shared-ride taxicab system.

Insert 3-1 (page 4 of 6)	
A(d) From the appropriation under s. 20.3	395 (1) (jt),
the department shall make supplemental paym	
mass transit aid) to each eligible applicant exclusively served by a shared-ride taxicab system	t that is
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Insert 3-1 (page 5 of 6)
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the number of one-way revenue passenger trips taken
on each eligible applicant's system
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during the occording calculation
during the preceding calendar year.
Shared-ride taxicab

Insert 3-1 (page 6 of 6)
(e) For purposes of this subsection, the department
shall determine the average cost as
shall determine the average cost per one-way revenue
passenger trip for an eligible applicant by dividing
$oldsymbol{O}$
the total operating expenses of the eligible applicant's
urban mass transit system for a calendar year by the
total number of one-way revenue passenger trips taken on
the urban mass transit system during that calendar year.
The department may use reasonable estimates of operating
tor new or expanded
The department may use reasonable estimates of operating  (For new or expanded expenses or one-way revenue passenger trips) if services
actual operating expenses or number of one-way revenue
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### State of Misconsin 2001 - 2002 LEGISLATURE

turned in 1/12/01

D-NOTE

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DOA:.....Etzler - Supplemental mass transit aids

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau TRANSPORTATION

#### TRANSPORTATION AIDS

Under current law, DOT administers an urban mass transit operating assistance program that funds a portion of the annual operating expenses of eligible urban mass transit systems. This bill requires DOT to make supplemental mass transit aid payments in any calendar year for any eligible urban mass transit system for whom the percentage increase in the average cost per passenger trip in the preceding calendar year did not exceed the percentage increase in the consumer price index for that calendar year. DOT shall distribute supplemental mass transit aid payments for similar urban mass transit systems on a proportionate basis according to annual ridership on each urban mass transit system during the preceding calendar year. These supplemental mass transit aid payments are in addition to any other funding under the program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

02 208 151 at at a	
As a continuing	appropriation,
<b>TION 1.</b> 20.395 (1) (jq) of	the statutes is creat

Sec' ted to read:

20.395 (1) (jq) Supplemental mass transit aids for Tiers A-1 and A-2, state funds.) The amounts in the schedule for supplemental mass transit aids under s.

85.20 (4p) (a).

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\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**Section 2.** 20.395 (1) (jr) of the statutes is created to read:

20.395 (1) (jr) Supplemental mass transit aids for Tier B, state funds. The amounts in the schedule for supplemental mass transit aids under s. 85.20 (4p) (b).

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**Section 3.** 20.395 (1) (is) of the statutes is created to read:

20.395 (1) (js) Supplemental mass transit aids for Tier C, state funds. The amounts in the schedule for supplemental mass transit aids under s. 85.20 (4p) (c).

\*\*\*\*Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **Section 4.** 20.395 (1) (jt) of the statutes is created to read:

12 20.395 (1) (it) Supplemental mass transit aids for shared-ride taxicab systems,

state funds.) The amounts in the schedule for supplemental mass transit aids under

14 s. 85.20 (4p) (d).

> \*\*\*\*NOTE: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 5.** 85.20 (4m) (b) 1. of the statutes is amended to read:

85.20 (4m) (b) 1. Except as provided in subd. 2., each eligible applicant shall provide a local contribution, exclusive of user fees, toward operating expenses in an amount equal to at least 20% of state aid allocations to that eligible applicant under this section par. (a).

**Section 6.** 85.20 (4p) of the statutes is created to read:

in calendar year 2003 and

85.20 (4p) Supplemental mass transit aids. (a) From the appropriation under s. 20.395 (1) (iq), the department shall make supplemental payments of mass transit aid in each calendar year to each eligible applicant specified in sub. (4m) (a) 6. cm. or d. for whom the percentage increase in the average cost per one—way reverse passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12—month period ending on December 31 of that calendar year. If all eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way the passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year.

- (b) From the appropriation under s. 20.395 (1) (jr), the department shall make supplemental payments of mass transit aid in each calendar year to each eligible applicant specified in sub. (4m) (a) 7. for whom the percentage increase in the average cost per one—way the passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12-month period ending on December 31 of that calendar year. If 2 or more eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way the passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year. This paragraph does not apply to an eligible applicant that is served exclusively by a shared—ride taxicab system.
- (c) From the appropriation under s. 20.395 (1) (js), the department shall make supplemental payments of mass transit aid in each calendar year to each eligible

in calendar year 2003 and

applicant specified in sub. (4m) (a) 8. for whom the percentage increase in the average cost per one—way the passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12—month period ending on December 31 of that calendar year. If 2 or more eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way the passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year. This paragraph does not apply to an eligible applicant that is served exclusively by a shared—ride taxicab system.

- (d) From the appropriation under s. 20.395 (1) (jt), the department shall make supplemental payments of mass transit aid in each calendar year to each eligible applicant that is served exclusively by a shared-ride taxicab system for whom the percentage increase in the average cost per one-way the passenger trip taken on the eligible applicant's shared-ride taxicab system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12-month period ending on December 31 of that calendar year. If all eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one-way passenger trips taken on each eligible applicant's shared-ride taxicab system during the preceding calendar year.
- (e) For purposes of this subsection, the department shall determine the average cost per one—way replace passenger trip for an eligible applicant by dividing the total operating expenses of the eligible applicant's urban mass transit system for a calendar year by the total number of one—way leaves passenger trips taken on the

- reasonable estimates of operating expenses or one—way passenger trips for new or expanded services if actual operating expenses or number of one—way passenger trips of the new or expanded services are not known.
  - (f) Supplemental payments of mass transit aid under this subsection are in addition to any state aid allocation under sub. (4m) (a).

#### SECTION 9452. Effective dates; transportation.

(1) SUPPLEMENTAL MASS TRANSIT AIDS. The treatment of sections 20.395 (1) (jq), (jr), (js), and (jt) and 85.20 (4m) (b) 1. and (4p) of the statutes takes effect on January 1, 2002.

D-NOTE

A(g) The department shall promulgate rules to implement and administer the payment of mass transit aids under this subsection. The rules shall include a definition of "one-way passenger trip" for purposes of this subsection.

100-10/3/21
LRB-1863/3dn TNF: jld
TNF: ¡Ld
ATTAL: labo Etalas
ATTN: John Etzler
This draft makes the following changes to
LRB-1863/2:
1 Changes the amount of the Co
1. Changes the proposed appropriations from
annual appropriations to continuing appropriations.
2. Specifically requires mass transit aid
payments to be made beginning in calendar year
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2003.
3 Replace "and - in course access to "
3. Replaces "one-way revenue passenger trip"
with "one-way passenger trip(").)
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4. Includes a rule-making requirement. The
rules must include a definition of "one-way parenge
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# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1863/3dn TNF.jld.jf

January 12, 2001

ATTN: John Etzler

This draft makes the following changes to LRB-1863/2:

- 1. Changes the proposed appropriations from annual appropriations to continuing appropriations.
- 2. Specifically requires mass transit aid payments to be made beginning in calendar year 2003.
- 3. Replaces "one-way revenue passenger trip" with "one-way passenger trip."
- 4. Includes a rule-making requirement. The rules must include a definition of "one-way passenger trip."

Timothy N. Fast Senior Legislative Attorney Phone: (608) 266–9739

E-mail: tim.fast@legis.state.wi.us



#### State of Misconsin 2001 - 2002 LEGISLATURE

LRB-1863/3 TNF:hmh&jld:jf

DOA:.....Etzler - Supplemental mass transit aids

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau TRANSPORTATION

#### TRANSPORTATION AIDS

Under current law, DOT administers an urban mass transit operating assistance program that funds a portion of the annual operating expenses of eligible urban mass transit systems. This bill requires DOT to make supplemental mass transit aid payments in any calendar year for any eligible urban mass transit system for whom the percentage increase in the average cost per passenger trip in the preceding calendar year did not exceed the percentage increase in the consumer price index for that calendar year. DOT shall distribute supplemental mass transit aid payments for similar urban mass transit systems on a proportionate basis according to annual ridership on each urban mass transit system during the preceding calendar year. These supplemental mass transit aid payments are in addition to any other funding under the program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	<b>SECTION 1.</b> 20.395 (1) (jq) of the statutes is created to read:
2	20.395 (1) (jq) Supplemental mass transit aids for Tiers A-1 and A-2, state
3	funds. As a continuing appropriation, the amounts in the schedule for supplemental
4	mass transit aids under s. 85.20 (4p) (a).
	****Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
5	SECTION 2. 20.395 (1) (jr) of the statutes is created to read:
6	20.395 (1) (jr) Supplemental mass transit aids for Tier B, state funds. As a
7.	continuing appropriation, the amounts in the schedule for supplemental mass
8	transit aids under s. 85.20 (4p) (b).
	****NOTE: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
9	SECTION 3. 20.395 (1) (js) of the statutes is created to read:
LO	20.395 (1) (js) Supplemental mass transit aids for Tier C, state funds. As a
11	continuing appropriation, the amounts in the schedule for supplemental mass
12	transit aids under s. 85.20 (4p) (c).
	****NOTE: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
13	SECTION 4. 20.395 (1) (jt) of the statutes is created to read:
14	20.395 (1) (jt) Supplemental mass transit aids for shared-ride taxicab systems,
15	state funds. As a continuing appropriation, the amounts in the schedule for
16	supplemental mass transit aids under s. 85.20 (4p) (d).
	****Note: This Section involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.
17	SECTION 5. 85.20 (4m) (b) 1. of the statutes is amended to read:
18	85.20 (4m) (b) 1. Except as provided in subd. 2., each eligible applicant shall
10	nucride a local contribution explusive of user food toward energting expenses in an

amount equal to at least 20% of state aid allocations to that eligible applicant under this section par. (a).

**SECTION 6.** 85.20 (4p) of the statutes is created to read:

85.20 (4p) Supplemental Mass transit aids. (a) From the appropriation under s. 20.395 (1) (jq), the department shall make supplemental payments of mass transit aid in calendar year 2003 and in each calendar year thereafter to each eligible applicant specified in sub. (4m) (a) 6. cm. or d. for whom the percentage increase in the average cost per one—way passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12—month period ending on December 31 of that calendar year. If all eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year.

(b) From the appropriation under s. 20.395 (1) (jr), the department shall make supplemental payments of mass transit aid in calendar year 2003 and in each calendar year thereafter to each eligible applicant specified in sub. (4m) (a) 7. for whom the percentage increase in the average cost per one—way passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12—month period ending on December 31 of that calendar year. If 2 or more eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way passenger trips taken on each eligible applicant's urban mass transit

system during the preceding calendar year. This paragraph does not apply to an eligible applicant that is served exclusively by a shared-ride taxicab system.

- (c) From the appropriation under s. 20.395 (1) (js), the department shall make supplemental payments of mass transit aid in calendar year 2003 and in each calendar year thereafter to each eligible applicant specified in sub. (4m) (a) 8. for whom the percentage increase in the average cost per one—way passenger trip taken on the eligible applicant's urban mass transit system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12—month period ending on December 31 of that calendar year. If 2 or more eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one—way passenger trips taken on each eligible applicant's urban mass transit system during the preceding calendar year. This paragraph does not apply to an eligible applicant that is served exclusively by a shared—ride taxicab system.
- (d) From the appropriation under s. 20.395 (1) (jt), the department shall make supplemental payments of mass transit aid in calendar year 2003 and in each calendar year thereafter to each eligible applicant that is served exclusively by a shared-ride taxicab system for whom the percentage increase in the average cost per one way passenger trip taken on the eligible applicant's shared-ride taxicab system in the preceding calendar year did not exceed the percentage increase in the U.S. consumer price index reported for the 12-month period ending on December 31 of that calendar year. If all eligible applicants under this paragraph are eligible to receive payments in a calendar year, the department shall distribute funds in proportion to the number of one-way passenger trips taken on each eligible applicant's shared-ride taxicab system during the preceding calendar year.

- (e) For purposes of this subsection, the department shall determine the average cost per one—way passenger trip for an eligible applicant by dividing the total operating expenses of the eligible applicant's urban mass transit system for a calendar year by the total number of one—way passenger trips taken on the urban mass transit system during that calendar year. The department may use reasonable estimates of operating expenses or one—way passenger trips for new or expanded services if actual operating expenses or number of one—way passenger trips of the new or expanded services are not known.
- (f) Supplemental payments of mass transit aid under this subsection are in addition to any state aid allocation under sub. (4m) (a).
- (g) The department shall promulgate rules to implement and administer the payment of mass transit aids under this subsection. The rules shall include a definition of "one—way passenger trip" for purposes of this subsection.

#### Section 9452. Effective dates; transportation.

(1) Supplemental mass transit aids. The treatment of sections 20.395 (1) (jq), (jr), (js), and (jt) and 85.20 (4m) (b) 1. and (4p) of the statutes takes effect on January 1, 2002.

(END)